

# Specific Plan (SP) District Ordinance

BL2005-762 - Enacted September 24, 2005

## FACT SHEET

(Updated 10.06.05)

### History & Purpose

In recent years, development professionals in Nashville/Davidson County have called for ***additional flexibility*** to create developments that meet market demands, address neighborhood concerns and are suitable to the surroundings.

Meanwhile, Metro Council and its constituents have called for ***greater certainty*** that the residential, office, commercial, and industrial developments that are built actually match the plans promised to the community.

The **Specific Plan (SP) District** creates a new zoning district that gives developers additional flexibility up front and gives Councilmembers and their constituents greater certainty as to the resulting project.

### Basics

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Elements that can vary from district bulk regulations - height and size of buildings, setbacks, buffers, signage, and materials.
- Elements that **must follow the goals and objectives of the General Plan** – density/intensity of development and land uses.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

### Process

1. Recommended pre-application conference with Metro Planning
2. Application Submittal – MPC determines the content of the application. At a minimum, it includes:
  - A development plan,
  - A description of existing conditions on the site,
  - An explanation of the purpose and intent of the proposed SP District,
  - An explanation of the proposed plan’s consistency with the goals/objectives of the General Plan,
  - A site plan for the development,
  - A list of allowable uses,
  - Height and size of proposed building types,

- Site specific development standards, and
  - A development phasing and construction schedule.
3. Metro Historic Zoning Commission (MHZC) and Metro Development & Housing Agency (MDHA) Action
    - MHZC will review the proposal if the SP district is
      - within an historic overlay district (historic or conservation zoning overlay),
      - listed on, or eligible for, the national register or historic places or
      - identified as being worthy of conservation.
    - MDHA will review the proposal if the SP district is within a redevelopment district.
    - MHZC & MDHA will provide recommendations to MPC for any necessary alterations.
  4. Metro Planning Commission (MPC) Action –
    - SP District proposals will be judged on consistency with the plan's stated purpose and intent and on consistency with the goals and objectives of the General Plan.
    - MPC may approve, approve with conditions or disapprove – same procedure as all zone changes.
  5. Metro Council Action – Same procedure as all zone change requests.
  6. Final Site Plan Review –
    - If the plan is sufficiently specific and does not require a plat or dedication of easement, then it can be approved administratively.
    - Approval based on the final site plan's conformance with approved development plan.

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## **FREQUENTLY ASKED QUESTIONS**

(Updated 8.4.05)

**1. Can a developer make changes to the SP District?**

A developer can submit an application to modify the SP district. Major modifications will go to the Metro Planning Commission and the Metro Council for consideration. Major modifications include:

- Any change in the geographic boundary of the SP district,
- Modifications to the specific performance criteria (the standards set in the SP district),
- Changes in the design standards,
- Changes to the land uses, and
- Changes to the development types.

**2. Does the SP District ordinance allow for variances?**

No variances are required. Since all of the design standards are discussed and determined while creating the Specific Plan, any element that may have required a variance will be spelled out in the zone change itself and will become law when adopted.

**3. How does enforcement of the SP District work?**

Codes will handle enforcement as the project is developed. Metro Council retains the option to rezone the property if the developer does not meet the standards set forth in the SP District. Also the ordinance is written to require that SP District projects be reviewed by the Metro Planning Commission every four years after they are approved. MPC will evaluate the project's progress and will provide a written report to Council recommending that the SP District remain, be amended, or that the property be rezoned.

**4. How are neighbors involved in the creation of a SP District plan?**

Councilmembers can hold community meetings on the SP District plan at their discretion. Neighbors of the SP District project will be notified about the zone change per the current rules for zone change notification.

**5. Can the SP District be used to set design and land use standards for an area – a neighborhood or specific property – before it is developed or redeveloped?**

The SP District is intended to be used by applicants that have a project "in hand" and ready to go. It is more appropriate to use an *Urban Design Overlay* to set the design standards for a property or an area before an actual development proposal is at hand.

**6. What is the difference between an Urban Design Overlay (UDO), a Planned Unit Development (PUD) and the SP District?**

A UDO is a tool used to guide *future* development. UDOS overlay the current base zoning and allow for standards above and beyond those in the base zoning. Any final development construction plans submitted for approval within a UDO must be reviewed for adherence to the standards outlined in the UDO.

A PUD is a tool used to add additional design requirements to a *current* development. PUDs also overlay the current base zoning. Over time, the requirements that can be attached to a PUD have diminished, leaving less room with PUDs to change the design standards of a project.

The SP District will be a *new base zoning district* like R10, CS or MUL. Instead of an overlay, which is still subject to some of the standards of the base zoning, the SP District *is* the base zoning district and will have the design standards specially tailored to fit the particular project.

7. **How does the SP District interact with the current subdivision regulations?**

The current subdivision regulations will still apply to properties rezoned to SP. Metro Planning is currently working with fellow Metro Departments to develop subdivision regulations with greater flexibility for innovative design.

# **Benefits of the SP District Ordinance**

(Updated 8.04.05)

## **Benefits for Developers**

Potential for lower cost –

- Specific plans save money by increasing certainty. By establishing a concrete plan and working with the Metro Council and Metro Departments to refine it, developers gain certainty that the project will be approved.
- Specific plans save time. The SP District incorporates design into development plans, removing the need for a developer to apply for a zone change and a PUD as well as removing the need for variances.
- Specific plans save money by creating a product that fits the site. Tailoring a development plan to a specific location can cut costs by removing unnecessary elements. For example, with a SP District, a developer could lower development costs by including more economical building types or shared parking.

## **Benefits for Councilmembers and Constituents**

Potential for stronger requirements in the design of development -

- The SP District allows Metro Council to propose limitations and requirements beyond what general zoning districts allow. These limitations and requirements can be tailored to
  - preserve or compliment the unique characteristics of the individual site and surrounding community,
  - limit the impact of the development on the surrounding neighborhoods and community-at-large, or
  - protect or preserve lands in or around the SP District.

Provide for stronger requirements in the timing of development -

- Allows Councilmembers to require that each phase of development be planned and related to previous development, surrounding properties and available infrastructure, so if the developer does not proceed with later phases, this will not have a negative impact on the completed phases or surrounding properties.
- Since the SP District requires development timelines, it discourages “speculative” rezoning.
- If the timeline included in the SP District is not followed, then the Council may rezone the property to protect the neighboring properties and the public health, safety or welfare.

Potential for innovation and diversity in development that best suits the neighborhood

- SP Districts can promote innovation by allowing more opportunities to provide access, light, open space, etc. Within a SP District zoning, standards could be included to preserve greenspace or vistas.
- Allow development that is consistent with the General Plan, but only acceptable to the public under stricter design guidelines.
  - For example, a neighborhood may want a mixed-use center, but may want the center to be developed to higher design standards to ensure that the center enhances the neighborhood character.

## **Benefits for Nashville/Davidson County**

Useful for unusual development sites –

- Redevelopment - Since redevelopment occurs in existing neighborhoods where sites are often smaller in size, a more detailed, site-specific development plan can do a better job redeveloping the land.
- Assembly of land for redevelopment - Since the SP District allows design standards and a mixture of land uses that are specific to the site, the SP District makes it easier for developers to develop a collection of parcels in a coherent way instead of a scattershot approach of developing one parcel at a time.